

At page 14, line 12, replace "histine" with --histidine--.

At page 20, line 5, delete "system" between "hybrid" and "hydrogel".

At page 24, line 18, delete "Figure 2". (N/A)

At page 24, line 19, insert --(Figure 2)-- between "CC2" and ".".

At page 27, line 5, insert --(Figure 3)-- between "dichroism" and "CD".

At page 29, line 21, replace "Llysine(NTA)" with -- L-lysine(NTA) --.

At page 32, line 10 and line 16, replace "TagEK42" with -- CC2 --.

At page 34, line 16, replace "measurement" with -- measurements --.

At page 47, line 12, replace "aviding" with -- avidin --.

AMENDMENTS IN THE CLAIMS

Claim 2, line 9, replace "aviding" with -- avidin --.

Claim 4, line 18, replace "aviding" with -- avidin --.

Claim 11, line 10, replace "an" with -- a copolymer of --.

Claim 14, line 10, replace "N-disubstited" with -- N-disubstituted --.

Claim 21, line 14, replace "swelled" with -- swollen --.

Claim 22, line 19, replace "aviding" with -- avidin --.

Claim 24, line 7, replace "aviding" with -- avidin --.

Claim 30, line 10, replace "N-disubstited" with -- N-disubstituted --.

Claim 31, line 19, replace "an" with -- a copolymer of --.

Claim 34, line 17, replace "N-disubstited" with -- N-disubstituted --.

Claim 41, line 2, replace "saluted" with -- soluble--.

ELECTION OF SPECIES REQUIREMENTS

The Examiner has found that Claims 1-44 are generic to a plurality of disclosed patently distinct species: water soluble polymers, protein domains and bioactive agents. As such, under 35 U.S.C.121, the Examiner has required the inventor to elect "a single disclosed species for prosecution on the merits to which the claims shall be restricted if no generic claim is finally held to be allowable".

The inventor hereby provisionally elects, with traverse, copolymers of HPMa and DAMA as the water soluble polymer, proteins domain having coil-coiled structure as the protein domain and peptide drugs as the bioactive agents . The claims read on the elected species are: 1-3, 5-12, 14-19, 21-23, 25-32, 34-39 and 41-44. However, although an election with traverse has been made, we believe with respect to the election of species requirements, no undue burden would be placed upon the examiner to examine all listed species concurrently. The invention is directed to a composition for making a stimuli responsive hydrogel comprising water soluble polymers crosslinked by protein domains. The hydrogel is useful for delivery of a bioactive agent. The species disclosed for the polymer, protein domain and bioactive agent do have a common feature and are similar enough that it would not create an undue burden for the examiner to examine all species concurrently. For example, all polymer species are water soluble and can be crosslinked by a protein domain. All the protein domain species need to have structural features which enable the domain to be used as a crosslinking agent. Bioactive agents in the present invention can be any chemical material or compound having the desired biological activity or pharmaceutical effect. Therefore, despite the election, the election of species

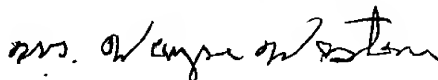
requirement is respectfully traversed and the applicants respectfully request reconsideration of this requirement under 37 C.F.R. § 1.143. In addition, requiring that the inventor select one species would be unduly limiting considering that a fine distinction among species does not effect the focus of the invention. Furthermore, to those skilled in the art, it would be apparent that all species listed in the claims are not patentably distinct from one another in the context of the present invention. Therefore, the applicant respectfully requests reconsideration in this matter and withdrawal of this requirement.

The Commissioner is hereby authorized to charge any additional fee or to credit any overpayment to Deposit Account No. 20-0100.

Dated this 14th day of February, 2001.

Respectfully submitted,

THORPE NORTH & WESTERN, LLP



M. Wayne Western
Reg. No. 22,788

8180 South 700 East, Suite 200
Sandy, UT 84070
Telephone: (801) 566-6633
Facsimile: (801) 566-0750